

Approved January 24, 2008

Spencer County Plan Commission
Meeting Minutes
December 27, 2007

The Spencer County Plan Commission held its monthly meeting on Thursday December 27, 2007. Members in attendance Nathan Helms, Pete Rapp, Al Logsdon, Rex Winchell, Jerry Embry, Phillip Schmidt. Absent Steve Winsett, Steve Sisley and Scott Sublett. Chairman Nathan Helms called the meeting to order at 6:00pm.

Joe Atchison appeared before board to inquire about (2) possible land divisions he would like to develop. The first option is what he prefers, however, it is non-conforming to the current exemptions. Option two would be conforming, however, the road frontage lots would be smaller and not as desirable to sell. After a discussion by the board members, Attorney Wetherill recommended Atchison look over Subdivision Ordinance instead of trying to use exemptions. Mr. Atchison is instructed to inform the office of the Plan Commission of his decision.

Nathan Helms spoke on the problems with current exemptions and how it needs to be easier to read and make sure to allow for more than one transfer per owner. It was also discussed by the board that we need another meeting to discuss solutions to current exemptions.

Attorney Wetherill read the current exemptions introductory page: "The division of any parcel of land shown as a unit, as part of a unit or as contiguous units on the last preceding transfer of ownership, into (2) or more parcels for the purpose of residential, commercial, or industrial structures or groups of structures whether for immediate or future sale or rent." This is where the controversy occurs, as this is not a sentence. Everything needs to be in conformity with our subdivision ordinance except our eight divisions. Wetherill then read a proposed change: "Any division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions on the most recent transfer of ownership for the purpose, whether immediate or future, of sale or future development, shall conform to the Spencer County Subdivision Ordinance, except for the following eight divisions, which shall be considered exempt from said ordinance."

After a discussion Al Logsdon made a motion to adopt a new introductory paragraph of subdivision exemptions as presented by Attorney John Wetherill at this meeting and not to address changing any exemptions at this time, just accepting definitions of a subdivision, 2nd by Jerry Embry, all in favor.

Wetherill updated on SOB: The second appeal filed by defendants will be dismissed, as their time lapsed. They are not going to argue and defend their actions they are letting it drop. Wetherill believes they may be placing all their resources, time and expenses in efforts to transfer to the State Supreme Court.

Al Logsdon made a motion to adjourn the meeting, 2nd by Pete Rapp, all in favor. Meeting adjourned at 7:05pm.

Next meeting January 24, 2008 at 6:00pm.

ej/tc